

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YI SUN,

Plaintiff,

No. 18 Civ. 11002 (LTS)(SN)

-against-

ORDER

NEW YORK CITY POLICE
DEPARTMENT, et al.,

Defendants.

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The Court has received and reviewed Plaintiff's "Emergency Motion for Stay Cases . . . and Request for an Emergency Special Investigation" dated September 18, 2020. (Docket Entry No. 122.) To the extent Plaintiff requests review by the Department of Justice, the Senate Judiciary Committee, or the Administrative Office of the U.S. Courts of the facts underlying her allegations of misconduct by the Court, the requests are improperly directed to this Court. This Court cannot grant those requests. Plaintiff may wish to direct applications or communications to those other government entities. The Chief Judge of this Court has forwarded the similar request that was directed to her to the United States Court of Appeals for the Second Circuit. (Docket Entry No. 212.)

Plaintiff also requests a stay of her case pending completion of her requested investigation into the alleged bias of the Court. (Docket Entry No. 122, at 2.) Plaintiff's request for a stay is denied, as Plaintiff has not identified any proper ground for the accusation of bias and any investigation of that accusation would take place separately from proceedings in this case. Disagreement with a litigant's legal position is not an indication of improper bias on the part of the Court. See Liteky v. U.S., 510 U.S. 540, 555 (1994) ("judicial rulings alone almost never constitute a valid basis for a bias or partiality motion"); U.S. v. Colon, 961 F.2d 41, 44 (2d Cir.

1992) (“earlier adverse rulings, without more, do not provide a reasonable basis for questioning a judge’s impartiality”).

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444 (1962).

This order resolves docket entry number 122.

SO ORDERED.

Dated: New York, New York
September 24, 2020

Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

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